

### INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the document identified on the enclosed Form PTO-1449. A copy of that document is attached. The document cited in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Statement, specifically, in a Preliminary Opinion of the Examining Division Before Oral Proceedings dated September 11, 2007 (copy attached), issued by the EPO in a counterpart EPC application.

While no fee is believed to be due, any fee deemed due should be charged, and any overpayment credited, to Deposit Account 06-1205.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Leonard P Diana/

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